Directions

Step 1: Prepare the appendix.

a) Ask your teacher whether you should leave the appendix open in your browser or print it out.

Step 2: Use the prompt and the documents to complete your assignment.

a) Read each document carefully.

b) Stop to review documents to help you complete each question fully.

Step 3: Use the prompt and the documents to write your essay.

a) Review your instructions if you need help.

b) Ask your teacher how you will complete the essay.

Essay Instructions

The following question is based on the accompanying documents.

You are advised to spend 15 minutes planning and 40 minutes writing your answer.

In your response, you should do the following.

- State a relevant thesis that is historically defensible and establishes a logical line of reasoning.
- Describe how a broader historical context is significant to the topic of the prompt.
- Use at least four documents to support an argument responding to the prompt.
- Provide at least one specific example of evidence outside of the provided documents.
- Explain how or why the perspective, purpose, historical situation, and/or audience of at least two documents is connected to an argument.
- Show a comprehensive understanding of the topic of the prompt by making a sophisticated argument or using evidence effectively.

Essay Prompt

Analyze the changes and continuities in the size and scope of the federal government from 1860 to 1877.

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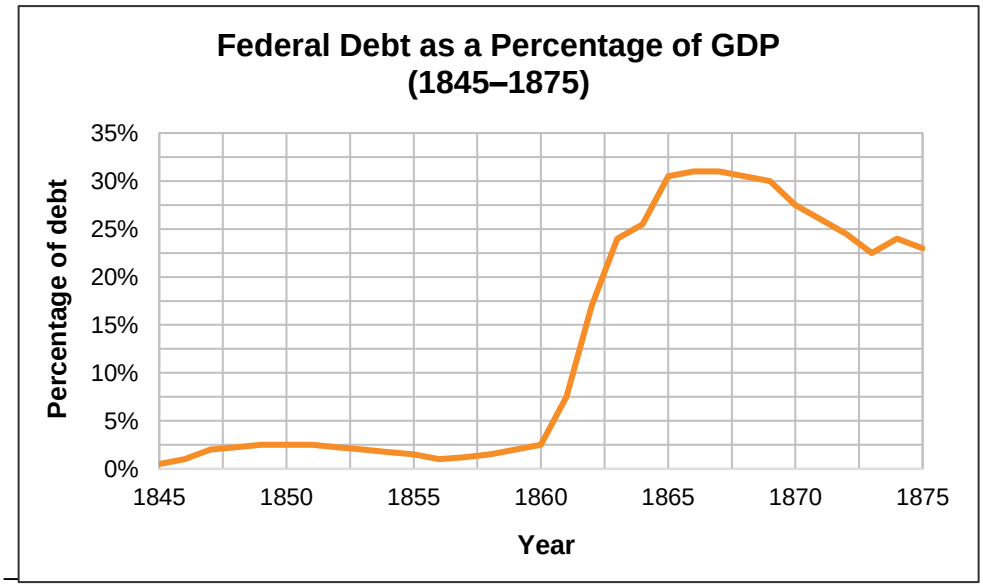
Sample Documents

Document 1

Source: Congressional Budget Office Data



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Document 2

Source: President James Buchanan, fourth annual message to Congress (December 3, 1860)

". . . All for which the slave States have ever contended, is to be let alone and permitted to manage their domestic institutions in their own way. As sovereign States, they, and they alone, are responsible before God and the world for the slavery existing among them. . . .

"The Southern States, standing on the basis of the Constitution, have a right to demand this act of justice from the States of the North. Should it be refused, then the Constitution, to which all the States are parties, will have been willfully violated by one portion of them in a provision essential to the domestic security and happiness of the remainder. In that event the injured States, after having first used all peaceful and constitutional means to obtain redress, would be justified in revolutionary resistance to the Government of the Union. . . .

"The question fairly stated is, has the Constitution delegated to Congress the power to coerce a State into submission which is attempting to withdraw or has actually withdrawn from the Confederacy? If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to declare and to make war against a State. After much serious reflection I have arrived at the conclusion that no such power has been delegated to Congress. . . .

"Congress can contribute much to avert [Southern withdrawal from the Union] by proposing and recommending to the legislatures of the several States the remedy for existing evils which the Constitution has itself provided for its own preservation, . . . an 'explanatory amendment' of the Constitution on the subject of slavery. . . .

1. An express recognition of the right of property in slaves in the States where it now exists or may hereafter exist.

2. The duty of protecting this right in all the common Territories. . . .

3. A like recognition of the right of the master to have his slave who has escaped from one State to another restored. . .

"In any event, [such an explanatory amendment] ought to be tried in a spirit on conciliation before any of these States shall separate themselves from the Union."

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Document 3

Source: President Jefferson Davis, message to the Confederate Congress (April 29, 1861)

"It was by the delegates chosen by the several States . . . that the Constitution of the United States was framed in 1787 and submitted to the several States for ratification. . . . [These] States endeavored in every possible form to exclude the idea that the separate and independent sovereignty of each State was merged into one common government and nation, and . . . to impress on the Constitution its true character – that of a compact between independent States.

". . . Amendments were added to the Constitution placing beyond any pretense of doubt the reservation by the States of all their sovereign rights and powers not expressly delegated to the United States by the Constitution.

"Strange, indeed, . . . [the Constitution has] proved unavailing to prevent the rise and growth in the Northern States of a political school which has persistently claimed that the government thus formed was not a compact between States, but was in effect national government, set up above and over the States."

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Document 4

Source: Pacific Railway Act (1862)

[The Union Pacific Railroad Company] is hereby authorized and empowered to layout, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph, from a point on the one hundredth meridian of longitude west . . . to the western boundary of Nevada Territory. . .

Sec 2. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to [The Union Pacific Railroad Company] for the construction of said railroad and telegraph line; and the right, power, and authority is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turntables, and, water stations. The United States shall extinguish as rapidly as may be the Indian titles to all lands falling under the operation of this act and required for the said right of way and grants hereinafter made.

Sec 3. And be it further enacted, That there be, and is hereby, granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of ten miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States, and to which a preemption or homestead claim may not have attached, at the time the line of said road is definitely fixed: Provided, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company. And all such lands, so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preemption, like other lands, at a price not exceeding one dollar and twenty-five cents per acre, to be paid to said company. . . .

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Document 5

Source: The Emancipation Proclamation (1863)

[B]y virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

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Document 6

Source: Habeas Corpus Suspension Act (1863)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the President of the United States, whenever in his judgment the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States or any part thereof.

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Document 7

Source: Andrew Johnson, Veto for the first Reconstruction Act, March 2, 1867

To the House of Representatives:

I have examined the bill "to provide for the more efficient government of the rebel States" with the care and the anxiety which its transcendent importance is calculated to awaken. I am unable to give it my assent for reasons so grave that I hope a statement of them may have some influence on the minds of the patriotic and enlightened men with whom the decision must ultimately rest.

The bill places all the people of the ten States therein named under the absolute domination of military rulers . . .

The military rule which it establishes is plainly to be used, not for any purpose of order or for the prevention of crime, but solely as a means of coercing the people into the adoption of principles and measures to which it is known that they are opposed, and upon which they have an undeniable right to exercise their own judgment.

I submit to Congress whether this measure is not in its whole character, scope, and object without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive to those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood and expended so much treasure. . . .

The power thus given to the commanding officer over all the people of each district is that of an absolute monarch. His mere will is to take the place of all law. . . . He alone is permitted to determine what are rights of person or property, and he may protect them in such way as in his discretion may seem proper. It places at his free disposal all the lands and goods in his district, and he may distribute them without let or hindrance to whom he pleases . . . and . . . he may make a criminal code of his own . . . He is bound by no rules of evidence; there is, indeed, no provision by which he is authorized or required to take any evidence at all. Everything is a crime which he chooses to call so, and all persons are condemned whom he pronounces to be guilty. He is not bound to keep and record or make any report of his proceedings. He may arrest his victims wherever he finds them, without warrant, accusation, or proof of probable cause. If he gives them a trial before he inflicts the punishment, he gives it of his grace and mercy, not because he is commanded so to do.

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Document 8

Source: Composition of Congress by Political Party (1859–1879)

	Senate			House of Representatives		
	Democrats	Republicans	Other	Democrats	Republicans	Other
1859–1861	38	26	2	101	113	23
1861–1863	11	31	7	42	106	28
1863–1865	12	39	0	80	103	0
1865–1867	10	42	0	46	145	0
1867–1869	11	42	0	49	143	0
1869–1871	11	61	0	73	170	0
1871–1873	17	57	0	104	139	0
1873–1875	19	54	0	88	203	0
1875–1877	29	46	0	181	107	3
1877–1879	36	39	1	156	137	0

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Document Sources

The Emancipation Proclamation (1863)
http://www.archives.gov/exhibits/featured_documents/emancipation_proclamation/

Pacific Railway Act (1862)
http://www.ourdocuments.gov/doc.php?doc=32&page=transcript

Habeas Corpus Suspension Act (1863)
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Johnson, Andrew. “Veto for the first Reconstruction Act, March 2, 1867.”
http://www.let.rug.nl/usa/presidents/andrew-johnson/veto-for-the-first-reconstruction-act-march-2-1867.php

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